the invention, particularly the combination of original claims 1 and 2 forming an independent claim. Applicant appreciates the indication of allowable subject matter in claim 19, however he believes the invention is unique and warrants broader protection as set forth in the amended claims hereof.

The first of the several rejections, as explained in the PTO communication, is a rejection of claims 7, and 9 - 11, under the provisions of 35 U.S.C. 112 because of the failure of the claims in question to provide a proper antecedent basis for certain words. It is believed that the claims hereof have been amended to provide such antecedent basis and it is requested that the rejection be withdrawn.

Turning now to the substantive rejections, claims 13, 14 and 16, stand rejected under the provisions of 35 U.S.C. 102 as being anticipated by Faulk (U.S.P. 5,568,825). Applicant traverses the rejection insofar as the Examiner may propose to apply same to the amended claims. In contrast to the invention of Applicant, Faulk discloses a system for detecting leakage and unwanted flow in a fluid supply within a building capable of detecting small leaks and shutting off flow when the leak is detected. Further, the system thereof allows flow for a preset small time period of time before the shut-off is initiated. The system includes an inflow sensor, a discharge sensor and valve means to seal the supply conduit in the event of unwanted fluid flow or backflow in the discharge conduit. The system is extremely sensitive due to the provision of a by-pass conduit around a check-valve in the supply conduit, where the flow sensor is positioned in the by-pass conduit, such that a small volume water flow must pass through the flow sensor. Thus, the by-pass conduit with sensor appears to be the unique feature of Faulk, and is not something found in Applicant's invention. It is submitted that Faulk does not teach nor suggest a system for monitoring and controlling water consumption, but rather a system to detect leakage which allows for a minimal flow after detection through the by-pass conduit before shut-off. The so called fluid control device of Faulk does not limit water consumption, but rather shuts off the flow when a leak is detected. It is submitted that the invention of Faulk does not anticipate claims 13, 14 and 16, especially as amended, and Applicant requests a reconsideration and allowance of the claims.

Claims 1 - 3, 5 - 17, and 20 stand rejected under the provisions of 35 U.S.C. 103(a) as being unpatentable over Faulk, above, in view of Williams et al. (U.S.P. No. 5,956,248). Applicant traverses the rejection as it may be applied to the amended claims hereof. Faulk has been discussed above and the arguments thereagainst apply here and are incorporated in the response. It is submitted that Williams et al. does not supply the needed details to sustain the argument of a valid combination for the rejection. Williams et al. relates to an irrigation controller that includes a housing for enclosing a microprocessor to store and execute at least one watering program. This alone clearly shows the incapability of combining the references, namely one (Faulk) covers a leak control system, and the other (Williams et al.) covers an irrigation system. Why would anyone, especially one skilled in the art, look to these unrelated references to anticipate a monitoring and controlling system for water consumption? How might this person skilled in the art be inclined to even look at these references without knowledge of the present invention? In any case, continuing with Williams et al., the microprocessor thereof has a parallel output bus with a plurality of pin sets for controlling a plurality of irrigation stations, i.e. sprinkler heads. The connection between the controller and the irrigation stations is through a plurality of station modules that are removably coupled to the various pin sets on the output bus. The number of stations controlled is adjusted by the number of modules connected to the output bus. The fact that the reference discloses a microprocessor, and multiple modules, does not show how they may be incorporated into the "leak" system of Faulk to anticipate the claimed water consumption invention by Applicant.

The Examiner continues the rejection with comments on specific claims within the claim rejection. For example, the Examiner asserts that Faulk teaches "a sensor for monitoring a water consumption parameter in a water-based system". It is a water-based system, but not water consumption. As stated previously, it is a leak detection and shut-off system. If there is no leak there is no monitoring and controlling of water consumption. The Examiner further says relative to claim 2, now part of claim 1, that Williams et al. "shows a processor residing in the power panel, the processor being in communication with the interface module for interpreting signals from the sensor". Even if all of this is correct, how does the teachings of the irrigation system relate to the system of this invention. Where in the irrigation system is one directed to developing a water consumption system? The Examiner goes on to discussing 'a fluid flow sensor', 'valve in a water supply line' and 'an 'interface module to control the fluid control device'. These are isolated features that are known, but they don't

remotely suggest how to incorporate same into a system to monitor and control a water consumption system. A dictionary discloses all well known words, but individually the words can be arranged into millions of combinations that represent millions of unique results. Without hindsight, one can not anticipate any of these combinations from a dictionary. The same reasoning is applicable to the present invention. Other components or features are discussed in claims 5, 6, 7, 8, 14, 15, 17 and 20 for the alleged teaching of known components or features. None of them disclose way of combining the components and features into the base reference of Faulk to meet the claims hereof. Most inventions are comprised of known components that have been combined to produce a unique combination with new and different results. Even the Gettysburg Address was composed of known words, but its uniqueness in the combination of words and meaning remain today as one of the most important and revered documents in American history. Applicant respectfully requests a reconsideration and allowance of claims 1 - 3, 5 - 17, and 20.

Claim 4 stands rejected under the provisions of 35 U.S.C. 103(a) as being unpatentable over Faulk (above) in view of Williams et al. (above) and further in view of Evans, Jr. (U.S.P. No. 6,195,002). Applicant traverses the rejection as it may be applied to claim 4, as amended. Evans, Jr. relates to an alarm for testing sensors used in fire-suppression systems, where the alarm may be an audio or visual means. Applicant is not suggesting that he invented sensors or the use of same, particularly coupled to an alarm mechanism. However, it is submitted that the incorporation of a sensor into a unique system to monitor and control water consumption. Evans, Jr. is not a system to monitor and control water consumption, but rather whether the fire-suppressant system is operatively functional, so why would a person skilled in the art even look to Evans, Jr. as a teaching to combine with Faulk and Williams et al. This is nothing more than an attempt at hindsight reconstruction, and a bad one at that, to render claim 4 as unpatentable. It is requested that the Examiner reconsider the rejection and allow claim 4 along with the remaining claims.

Claim 18 stands rejected under the provisions of 35 U.S.C. 103(a) as being unpatentable over Faulk (above) in view of Williams et al. (above) and further in view of Papadopoulos et al. (U.S.P. No. 6,061,603). Applicant traverses the rejection for the reasons above and for those which follow. Papadopoulos et al., the only new reference in this rejection, teaches a control system to allow a user thereof to access programmable logic controller system over a communication network, such as an Internet network using a web

browser. What does this have to do with a fluid system, such as one to monitor and control water consumption? The patent does not show or suggest how one can use a network interface to allow the system of Applicant to be programmed remotely. Remote controls are well known in our society, but it fails to teach how such a mechanism can be used effectively in a system to monitor and control water consumption. The patent certainly fails to show this. As a consequence, it is believed that claim 18 is patentable over the combination of the three references, and an allowance thereof is in order.

To facilitate the further examination of this application, Applicant hereby requests a three month extension of time to expire on July 16, 2008. In support thereof, Applicant encloses a check for $525.

It is requested that the Examiner give the undersigned Agent a phone call at (850) 236-0548 if the Examiner believes it may be helpful to resolve any outstanding issues.

Respectfully submitted,
Applicants
William B. Noll
by William B. Noll
Agent for Applicant
Reg. No. 22,721

Encl: 5 sheets of claims